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Sent By:	Jessica Brown	Direct Phone:	(310) 284-6173
Client/Matter/Tkpr:	38586-329-6806	Original to Follow by Mail:	Yes
Re:	Application Serial No. 09/412,297	Number of Pages, Including Cover:	18

Message: Please see 1) Response to Advisory Action Dated September 13, 2004; and 2) Second Supplemental Information Disclosure Statement, both of which are also being mailed to the PTO today.

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IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL JESSICA BROWN AT (310) 284-6173 AS SOON AS POSSIBLE.

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11/12/2004 4:20:41 PM

PAGE 1/18 \* RCVD AT 11/12/2004 4:20:41 PM [Eastern Standard Time] \* SVR:USPTO-EFAX-1/8 \* DNIS:8729306 \* CSID: \* DURATION (mm-ss):05:42

Docket No.: 38586-329

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Customer Number: 33401

Ting, Kang : Confirmation Number: 9486

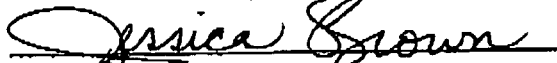
Serial No.: 09/412,297 : Group Art Unit: 1645

Filed: October 5, 1999 : Examiner: Ford, Vanessa L

For: NELL-1 ENHANCED BONE MINERALIZATION

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NOV 12 2004****CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that on NOV. 12, 2004, which is the date I am signing this certificate, I am transmitting this response via facsimile to (703) 872-9306, known to me to be the facsimile number of Art Unit 1645, and directly to Examiner Ford at (571) 273-0857, known to me to be the facsimile number of Examiner Vanessa L. Ford. A copy of the confirmation being kept for recordkeeping purposes.

  
Jessica Brown

**RESPONSE TO ADVISORY ACTION DATED SEPTEMBER 13, 2004**

By Facsimile: (571) 273-0857 (Ex. Ford)

By Facsimile: (703) 872-9306 (Art Unit 1645)

This letter responds to the Advisory Action, mailed September 13, 2004. The Examiner states that the reply filed August 4, 2004 fails to place the application in condition for allowance and notes that the amendment will not be entered.

Applicant believes the Examiner may not have received the Request for Continued Examination (RCE), filed by applicant in this case on September 7, 2004, prior to issuing the present Advisory Action. Applicant requests confirmation that the amendment and RCE have been entered and are being considered by the Examiner.

Applicant also submits herewith a further supplemental Information Disclosure Statement to disclose the two references cited in the International Search Report (attached

10/382,235

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herewith) for PCT Application Serial No. PCT/US03/29281, another application regarding the same technology by the same inventor.

Date: November 12, 2004

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

  
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